

MINNIE LOO, Assistant U.S. Trustee  
(SBN 106613)  
MARGARET H. MCGEE  
(SBN 142722)  
MATTHEW R. KRETZER  
(SBN 157949)  
LAURENT CHEN  
(SBN 191661)  
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SARA L. KISTLER

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

In re	)	Civil No. C-07-05397 MHP
	)	
WILLIE E. PHILLIPS	)	Bankruptcy Case No: 06-30590 TEC 7
	)	Chapter 7
	)	
	)	
	)	
Debtor.	)	
<hr/>	)	
SARA L. KISTLER	)	
ACTING UNITED STATES TRUSTEE,	)	Adversary Proceeding No. 06-3124 TC
	)	(transferred from Bankr. S.D. Cal.)
Plaintiff,	)	
	)	
v.	)	
	)	
	)	
WILLIE E. PHILLIPS,	)	
	)	
Defendant.	)	

## NOTICE OF NON-PARTICIPATION

Sara L. Kistler, the Acting United States Trustee for Region 17 (“United States Trustee”), hereby gives notice of an intention to not participate in the Appeal designated District Court Case No. C-07-05397 MHP.

Willie E. Phillips (“Phillips”), the Appellant in this matter, indicated in his “Notice of Appeal” filed 15 October 2007 that the parties to the “Order Denying Defendant’s Motion for Reconsideration of Motion to recuse Trial Judge” entered 3 October 2007 in *Kistler v. Phillips*,

Adversary Proceeding No. 06-3124, include the United States Trustee, represented by Minnie Loo, Assistant United States Trustee.

The United States Trustee did not participate in the proceedings concerning Phillips' request filed 20 July 2007<sup>1</sup> for the recusal of the Honorable Thomas Carlson, the trial judge in the above-referenced adversary proceeding<sup>2</sup>, or the "Notice of Motion and Motion for reconsideration of the court's denial of the motion to recuse" and associated papers filed by Phillips on 21 August 2007. Accordingly, the United States Trustee will not take a position regarding the Appeal of the "Order Denying Defendant's Motion for Reconsideration of Motion to recuse Trial Judge" entered 3 October 2007 (unless the District Court directs otherwise).

Dated: 2 April 2008

Respectfully submitted,

s/Minnie Loo  
Minnie Loo  
Assistant United States Trustee  
Attorney for Sara L. Kistler  
Acting United States Trustee

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<sup>1</sup>Phillips filed on 20 July 2007 his "Declaration of Debtor in support of recusal of Judge Thomas Carlson" which the bankruptcy court deemed Phillips' motion for recusal.

<sup>2</sup>The United States Trustee did appear on Phillips' motion for continuance of trial, which matter was heard on 3 August 2007 concurrently with Phillips' request for recusal of the Honorable Thomas Carlson.